IN THE HIGH COURT OF JUDICTURE FOR RAJASTHAN AT JODHPUR.

O R D E R

Prakash Chand Patidar. Versus State of Rajasthan & ors.

S.B. Civil Writ Petition No. 658/2007

...

Date of Order: March 26, 2007

PRESENT

HON'BLE MR. JUSTICE H.R. PANWAR

Mr. R.S. Saluja, for the petitioner.
Mr. Rameshwar Dave, Deputy Govt. Advocate.

BY THE COURT:

Heard learned counsel for the parties.

Learned counsel for the petitioner submits that the controversy involved in the instant writ petition stands concluded by a decision of this Court in Piyus Gadiya & ors. Vs. State of Rajasthan & ors., SBCWP No. 6406/2005 decided on 15-9-2006, as also by a decision of the Hon'ble Supreme Court in State of Rajasthan & ors. Vs. Karan Singh Rathore & ors. etc. etc., Civil Appeal Nos. 8653-8659/2003 decided on 19-7-2006.

Learned Deputy Government Advocate appearing for the respondent-State does not dispute the facts stated.

In this view of the matter, the writ petition deserves to be allowed in terms of the order passed by this Court in Piyus

Gadiya & ors. Vs. State of Rajasthan & ors. (supra).

Accordingly, the writ petition is allowed. The respondents are directed to consider the candidature of the petitioner for the purpose of appointment as Senior Teacher pursuant to the Notification dated 20-8-2003 and in the event he is found suitable to be appointed as such and if a person having less merit than the petitioner has been given the appointment, the appointment be given to the petitioner also. The respondents are directed to make the entire exercise in the terms of the above order within the period of three months from today. There shall be no order as to costs.

(H.R. PANWAR), J.

mcs